

AN ACT

ENTITLED, An Act to regulate the manufacture, labeling, storage, and distribution of certain ruminant livestock feeds and to declare an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That chapter 39-14 be amended by adding thereto a NEW SECTION to read as follows:

All ruminant livestock feed distributed in South Dakota shall contain a statement on the label declaring whether or not the feed was produced in a feed manufacturing facility that handles or stores any ingredient or product containing an ingredient that is prohibited from use in livestock feed pursuant to 21 CFR 589.2000, as amended to March 1, 2001. The secretary of agriculture shall provide the appropriate format for such label statements in rules promulgated pursuant to chapter 1-26.

Section 2. That § 39-14-60 be amended to read as follows:

39-14-60. The secretary of agriculture may promulgate rules, pursuant to chapter 1-26, for commercial feeds and pet foods:

- (1) To provide procedures for registration of commercial feed;
- (2) To provide procedures for contested case hearings and commercial feed registration amendments;
- (3) To provide guidelines for commercial feed records;
- (4) To provide guidelines for commercial feed good manufacturing practices;
- (5) To establish weed seed adulteration limits;
- (6) To establish labeling standards for commercial feed;
- (7) To establish customer-formula feed directions and warning and caution statements for labels;

- (8) To provide procedures for entry into premises and access to records by department personnel for the purpose of inspecting commercial feed manufacturing practices; and
- (9) For the express purpose of protecting the public health, welfare, and safety and the health and welfare of the South Dakota livestock industry, to regulate the use, manufacture, storage, or distribution of ruminant livestock feeds if animal proteins as defined in 21 CFR 589.2000, as amended to March 1, 2000, are present in the manufacturing, storage, or distribution facility or premises.

In the interest of uniformity, the secretary by rule shall consider and may adopt the regulations, official definition of feed ingredients and official feed terms adopted by the Association of American Feed Control Officials and published in the official publication of that organization and any regulation promulgated pursuant to the authority of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. § 301, et seq.), provided that the secretary may under this chapter promulgate such rules.

Section 3. Whereas, this Act is necessary for the immediate preservation of the public peace, health, or safety, an emergency is hereby declared to exist, and this Act shall be in full force and effect from and after its passage and approval.

An Act to regulate the manufacture, labeling, storage, and distribution of certain ruminant livestock feeds and to declare an emergency.

=====

I certify that the attached Act  
originated in the

HOUSE as Bill No. 1298

\_\_\_\_\_  
Chief Clerk  
=====

\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

House Bill No. 1298  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

=====

Received at this Executive Office  
this \_\_\_\_\_ day of \_\_\_\_\_ ,

20\_\_\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor  
=====

The attached Act is hereby  
approved this \_\_\_\_\_ day of  
\_\_\_\_\_, A.D., 20\_\_\_\_

\_\_\_\_\_  
Governor  
=====

STATE OF SOUTH DAKOTA,  
ss.

Office of the Secretary of State

Filed \_\_\_\_\_ , 20\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State